



**Professional Services Contracts  
Request for Letter of Interest  
East Regional Contract Office  
Contract Number: 33-3RFP5033**

**Original Posting Date: December 13, 2012**

**NOTICE OF INTENT TO CONTRACT  
FOR INDEFINITE DELIVERABLE CONTRACTS  
WITH FEDERAL FUNDING**

The East Region of the Texas Department of Transportation (TxDOT) intends to enter into eight (8) indefinite deliverable contracts with prime providers pursuant to Texas Government Code, Chapter 2254, Subchapter A, and 43 Texas Administrative Code (TAC) §§9.30-9.43, to provide the following services. The approximate amount for each contract is \$2,000,000.00, which is included for informational purposes only and may be adjusted by TxDOT.

**Solicitation Number: 33-3RFP5033**

**Project Description and Work to be Performed:**

General engineering services required to prepare plans, specifications and estimates (PS&E), and related documents, for various projects in both rural and urban settings. These services may include preparing roadway, bridge layouts and designs, hydrologic and hydraulic design, traffic signal design, survey, and geotechnical data collection necessary to support the design process.

It is expected at the time of the notice that work will be performed primarily in the East Region, but work may be required in other regions.

For the purpose of addressing project understanding and approach, TxDOT is requesting that the Letter of Interest (LOI) focus on the widening of the center left turn lane and asphalt overlay on FM 1097 in Montgomery County, Texas. The limits of the project are from IH 45 to SH 75 (approximately 0.702 mile).

For the purpose of this Notice, TxDOT will provide information that can be found at <http://www.txdot.gov/business/opportunities/professional-services/loi-attachments.html> under the button label "*FM 1097.pdf*". This data is PDF/Microsoft Word file; please note the size of the files before opening or downloading.

### **Selection Requirements:**

The proposed team must demonstrate that a **professional engineer** and a **professional land surveyor** registered or licensed in Texas will sign and seal the work to be performed on the contract.

For purposes of executing an engineering contract and doing work with TxDOT, the prime provider must be registered with the Texas Board of Professional Engineers.

If a joint venture is being considered, see the “Joint Venture Certification Requirements” section of this Notice for additional requirements.

The proposed **project manager** must be registered in the State of Texas by the LOI due date shown in this Notice.

The selected prime provider must perform a minimum of 30% of the actual contract work.

### **Certification Requirements:**

#### **Precertification requirements are not waived:**

Precertification requirements are not waived for the contract.

The prime provider’s and subproviders’ employees, who are proposed as task leaders, must be precertified by the deadline date and time for receiving the LOI for each of the advertised work categories listed in which those employees are intended to perform work.

If it is intended that a category of work will be distributed among two or more firms on the team, as indicated on the organization chart or CCO-21 form, each firm must be precertified in that work category.

Subproviders (not precertified), not proposed as task leaders, but proposed to provide a service, for which there is no dedicated precertified work category, in support of a precertified work category, must submit documentation detailing the proposed services being provided under the particular work category; how these services support the particular work category; and the particular work category being supported. For example, subproviders providing public involvement services or traffic counts would be required to provide documentation that details the services being proposed and the particular work category being supported. This attachment will explain why a firm is listed on the CCO-6 and CCO-21 forms, but not identified on the CCO-20 form as providing the task leader. It is at the prime provider’s discretion to subdivide a service to one or more subproviders. This attachment is in addition to the maximum pages allowed for the LOI. This attachment is for explanation purposes only. The content will not be evaluated according to the “Selection Criteria” section listed in this Notice.

### **Annual Renewal Requirement:**

Annual renewal is governed by Section 9.41 of Title 43 in the Texas Administrative Code (TAC). The following is a summary of that requirement.

All precertified firms must complete the annual renewal process between January 1 and March 31 each year to maintain Active status for the firm. Active status is required for precertified prime providers and subproviders proposed for precertified work categories in the LOI. Active status for applicable firms must be obtained by the LOI due date shown in this Notice.

Additional information on annual renewal for precertified firms is available on TxDOT's internet web site at:

<http://www.txdot.gov/business/consultants/precertification/renewal.html>

A list of Active precertified firms is available at:

<http://www.dot.state.tx.us/des/precert/precrt1.htm>

Active status is not required for a firm on the team that is proposed to provide a service that is not identified by one of the standard precertification work categories. These services include:

- Non-listed Work Category (NLC) services;
- Supporting services, such as traffic counting or public involvement, which may be needed in support of a standard category, but is not a service that enables a specialized firm to become precertified because there is not a standard category dedicated to that specific supporting service; and
- Supporting services, such as traffic counting or public involvement, which may be needed in support of a non-listed category, but is not significant enough to warrant an additional non-listed category to define and identify minimum requirements for the supporting service.

Refer to the Certification Requirements section of the Notice for additional information regarding supporting services.

#### **Disqualification of the LOI:**

TxDOT will disqualify any LOI that is not received prior to the deadline date and time shown in this Notice.

#### **Joint Venture Certification Requirements:**

TxDOT allows joint ventures. Submittal of a joint venture proposal is at the discretion of the provider. A joint venture is considered the prime. In order for a joint venture to be precertified, each firm included in the joint venture must be precertified unless precertification has been waived or a firm is performing only work identified by non-listed work categories. All joint venture parties must be clearly identified.

For purposes of executing an engineering contract and doing work with TxDOT, each firm included in the joint venture must be registered with the Texas Board of

Professional Engineers.

All joint venture parties will be required to sign the contract and take equal 100% responsibility for the contract.

**Administrative Qualification Requirements:**

Administrative Qualification is governed by Section 9.42 of Title 43 in the Texas Administrative Code (TAC). The requirements are summarized on TxDOT's Internet web site at <http://www.txdot.gov/inside-txdot/division/design/professional-services/qualifications.html>, which includes the list of administratively qualified firms.

Administrative qualification information is for TxDOT use only. This information will only be released with the approval of the provider or as required by state or federal statute.

**Employment Law:**

A prime provider or subprovider currently employing former TxDOT employees must be aware of the revolving door employment laws and rules, including Government Code, Chapters §572.054 and §2252.901 and Texas Administrative Code, Rules §10.6, §10.101, and §10.102.

**Disadvantaged Business Enterprise (DBE) Goal:**

This is a federally funded contract. The assigned DBE goal for participation in the work to be performed under this contract is 10% of the contract amount.

The provider shall furnish evidence of compliance with the assigned DBE goal or evidence of a good faith effort acceptable to TxDOT to meet the assigned goal on the CCO-6 form. Failure to do so shall be reason to consider the provider nonresponsive, and TxDOT will select the next highest scored provider meeting these requirements. TxDOT maintains the Texas Unified Certification Program Disadvantaged Business Enterprise (TUCP DBE) Directory, which lists businesses alphabetically and by work category.

The DBE goal can be achieved using the prime provider, the subproviders, or both.

Each subprovider listed to meet the assigned DBE subcontracting goal must be DBE-certified in the Subsector 541 NAICS Code applicable to the type of service being offered by that firm. A firm not DBE-certified in the Subsector 541 NAICS Code applicable to the type of service being offered will not be counted toward the assigned DBE subcontracting goal. For example:

- A firm offering architecture services must be DBE-certified in 541310 Architectural Services.
- A firm offering engineering services must be DBE-certified in 541330 Engineering Services.

- A firm offering surveying services must be DBE-certified in 541370 Surveying and Mapping (except Geophysical) Services.
- A firm offering environmental services must be DBE-certified in either 541330 Engineering Services or 541620 Environmental Consulting Services.
- A firm offering materials testing services must be DBE-certified in either 541330 Engineering Services or 541380 Testing Laboratories.

Additional guidance on the NAICS Codes can be found at the following link, under the heading for Sector 54 – Professional, Scientific and Technical Services:

[http://www.sba.gov/sites/default/files/files/Size\\_Standards\\_Table.pdf](http://www.sba.gov/sites/default/files/files/Size_Standards_Table.pdf)

**Work Categories and the % of Work Per Category:**

- 3.4.1 Minor Bridge Layouts (5%)
- 3.5.1 Major Bridge Layouts (5%)
- 4.2.1 Major Roadway Design (15%)
- 5.1.1 Minor Bridge Design (15%)
- 5.2.1 Major Bridge Design (5%)
- 8.1.1 Signing, Pavement Marking & Channelization (15%)
- 8.2.1 Illumination (2%)
- 8.3.1 Signalization (3%)
- 9.1.1 Bicycle & Pedestrian Facility Development (3%)
- 10.1.1 Hydrologic Studies (5%)
- 10.2.1 Basic Hydraulic Design (10%)
- 10.3.1 Complex Hydraulic Design (5%)
- 14.2.1 Geotechnical Testing (3%)
- 14.3.1 Transportation Foundation Studies (2%)
- 15.1.1 Survey (2%)
- 15.2.1 Design and Construction Survey (5%)

**Major Work Categories:**

In addition to the precertification requirements for the work categories listed above, the

LOI must address the team's capabilities and experience in the following major work categories:

4.2.1 Major Roadway Design

5.1.1 Minor Bridge Design

8.1.1 Signing, Pavement Marking & Channelization

10.2.1 Basic Hydraulic Design

**Selection Criteria:**

TxDOT will evaluate Letters of Interest using the following criteria:

- Project understanding and approach (30%)
- The project manager's experience with similar projects (40%)
- Similar project-related experience of the task leaders responsible for the major work categories identified in this Notice (30%)

**Selection Procedure:**

Providers selected for the short list are established using the team's Letter of Interest score.

A Short List meeting with providers advancing to the short list will not be held.

Providers advancing to the short list will participate in an interview but will not be required to submit a written proposal. These providers will be sent an Interview and Contract Guide (ICG) containing instructions for the interview. The prime provider's project manager must be present for and participate in the interview or the provider will be dropped from further consideration.

**Attendance is limited to the following individuals:** The task leaders of the major work categories identified in the LOI must attend the interview with the project manager. Each attendee must be identified in the LOI organization chart. An individual proposed as a team member on multiple LOIs competing for this solicitation may only attend one interview. If a team member is excluded from an interview due to attendance in another interview, the project manager may invite a substitute identified in the LOI organization chart. The substitute need not be precertified in the represented work category.

Interviews will be evaluated, and the interview score will be the basis for the contract award. Interviews will be scheduled the weeks of February 19 and 25, 2013.

**Multiple Selection:**

The Consultant Selection Team has determined a range of acceptable scores to be not

less than 0 points out of the total available points of 4,000. If more prime providers fall within the specified range of acceptable scores than the anticipated number of contracts, prime providers will be selected in order of ranking in the evaluation process.

### **Project Manager or Task Leader Replacement During Selection**

- The prime provider's project manager may be replaced during the selection and before contract execution only by another person proposed in the LOI from the prime provider, as approved by the director of TxDOT's Design Division.
- A task leader may be replaced during the selection and before contract execution only by another precertified person proposed in the LOI from the team, as approved by the CST.

### **Letter of Interest Requirements:**

The Letter of Interest (LOI) is limited to **five (5)** 8½ x 11 inch pages, single sided. The minimum acceptable font size is 12 point.

The LOI must be submitted with a single staple in the upper left-hand corner. No other binding will be accepted.

Submit **six (6)** original Letter(s) of Interest (LOI) with attachments. Each LOI must contain a complete set of attachments.

The LOI must include the following:

- **Solicitation Number** 33-3RFP5033
- The name of the prime provider's project manager. Under a joint venture agreement, one project manager must be identified to represent the joint venture.
- Information showing the team's project understanding and approach; the project manager's experience with similar projects; similar project-related experience of the task leaders responsible for the major work categories; information supporting any additional selection criteria; and other pertinent information addressed in this Notice. For each similar project referenced, identify either the project manager's or the task leader's specific role(s) and work contributed.
- Verification in the form of a statement that the proposed team individuals are currently employed by either the prime provider or a subprovider.
- Verification in the form of a statement that the prime provider (firm or the joint venture members) is registered with the Texas Board of Professional Engineers. If not applicable to your firm, please provide an explanation.

### **Required Letter of Interest Attachments:**

The following documents are considered in addition to the maximum pages allowed for

the LOI.

- An organization chart limited to **one (1)** 8 ½ x 11 page containing the names of the prime provider and any subproviders' task leaders proposed for the team and their contract responsibilities by work category. Task leaders must be clearly designated, and consistent with the task leaders identified on the CCO-20 – Project Team Precertification form. Other personnel can be identified at the prime provider's discretion. The organization chart should also include the name, address, e-mail, and telephone number of the prime provider and all the subproviders proposed for the team. The organization chart must be prepared with a minimum font size of 10 point, but not more than 12 point. To allow for scanning and legibility, it is preferred that an Arial, or a similar type font be used. The organization chart is not included in the **five (5)** page Letter of Interest, it is considered an Attachment.
- Firm and staff sequence numbers are not required on the organization chart. When applicable, the CCO-20 form is used to verify precertification rather than the organization chart.
- The client reference attachment is limited to **one (1)** page and must contain at least **three (3)** client references for the prime provider's project manager. For TxDOT references include the name and region, district, or division. For non-TxDOT references include the name and address.

The client reference must be an individual who is, or was, actively involved in a contract for which the proposed project manager is, or was, responsible. The client reference, whether TxDOT or non-TxDOT, must have, or have had, a contract management role, such as project manager or work authorization manager, responsible for managing the proposed project manager's work.

The proposed project manager may use client references attained through project management experience obtained while employed by a previous consultant.

Also, if the proposed project manager was a sub-provider's project manager on a previous project, the prime provider's project manager for that project may be used as a client reference.

Also, it is understood that some proposed project managers may not have three client references. In this case, verify in the form of a statement that the proposed project manager does not have three client references as a result of limited assignments as a project manager.

**For TxDOT client references**, the CST will utilize the Prime Provider Performance Evaluations on file in the TxDOT CCIS database as the reference. You may confirm evaluations on file through your CCIS account. Note: If there is no evaluation on file that corresponds with the TxDOT client reference listed in your LOI, the CST will request the individual complete an evaluation, if still



employed by TxDOT.

A TxDOT client reference need not be currently employed by TxDOT. Evaluations completed by a TxDOT project manager and entered into the CCIS database remain in the system and are accessible after the individual is no longer employed by TxDOT.

**For non-TxDOT client references**, have the client reference complete and submit a Past Performance Evaluation. Download the Past Performance Evaluation form and Cover Letter from <http://www.txdot.gov/business/opportunities/professional-services/loi-attachments.html>. Instructions to the client reference are included with the evaluation form. You are responsible for providing the evaluation and cover letter to the non-TxDOT client reference identified in your LOI. The evaluation must be completed and signed by the individual identified as the client reference. The documents have been set up to be provided to the client reference electronically and submitted by the client reference to TxDOT electronically, but hard copies will be accepted. The client reference must e-mail or mail the completed Past Performance Evaluation directly to the TxDOT contact shown in the cover letter, not your firm. The non-TxDOT client reference evaluations are due Monday, January 28, 2013, which is 23 days after the LOI due date. **Note: The Past Performance Evaluation form and Cover Letter will be removed from the website the day the NOI closes.**

Client references will be evaluated only if your firm is short-listed.

The client reference page is not counted as part of the five (5) page Letter of Interest. It is considered an attachment.

- CCO-6 Form, Project Team Composition  
<http://www.txdot.gov/business/opportunities/professional-services/loi-attachments.html>
- CCO-20 Form, Project Team Precertification  
<http://www.txdot.gov/business/opportunities/professional-services/loi-attachments.html>
- CCO-21 Form, Firm Percentage by Work Category  
<http://www.txdot.gov/business/opportunities/professional-services/loi-attachments.html>
- If applicable, documentation for non-precertified subproviders on the team which provides a service where there is no dedicated work categories. Information is limited to one page per subprovider not precertified. This is not intended to accommodate subproviders providing services that should be precertified. (See the "Certification Requirements" section above.)

**Deadline Date and Time:**

A Letter of Interest notifying TxDOT of the provider's interest in the contract(s) will be accepted by hand delivery to TxDOT, East Region, 7600 Washington Avenue, Houston TX 77007, Attention: Caryn Franco, P.E.

A Letter of Interest notifying TxDOT of the provider's interest in the contract(s) **will not** be accepted by fax or electronic mail.

**The provider is responsible for verifying that the TxDOT contact person has received the LOI.**

**Letters of Interest must be received prior to 4:00 p.m. CT, on Friday, January 4, 2013. Any LOIs received after the deadline date and time shown above will not be considered.**

**Contract Information:**

Contract execution is expected by May, 2013.

Work authorizations may be issued within the first two years of the contract. Contract duration is expected through May, 2015.

The proposed contract payment type is lump sum, unit cost and specified rate.

**Work Authorization Assignments:**

Work Authorizations under these contracts will be issued in conformance with TxDOT's then-current procedures.

**Agency Contact:**

**The deadline for submitting questions regarding this Notice of intent is 4:00 p.m. CT, on Thursday, December 20, 2012.**

Questions regarding this Notice of intent must be submitted in writing (via email) to the **East Region at Thuy.Luong@txdot.gov** to be considered.

**Significant and relevant questions and the official responses will be posted on TxDOT's website at <http://www.txdot.gov/business/opportunities/professional-services/loi-attachments.html> by Friday, December 28, 2013.**

**Debriefs:**

You may request a post-selection debrief to discuss the quality of your LOI. Requests for debriefs will be accommodated up to four months after contract execution. Note that no debriefs will be held prior to contract execution.